

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

September 24, 2022

TEXAS Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Rodolfo Ortiz

YOB: 1975 COB: United States

Case Number:
M-22-1893-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about September 23, 2022 in Starr County, in the
Southern District of Texas

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Maria Guadalupe Teran-Benitez, a citizen and national of Mexico, along with one (1) other undocumented alien, for a total of two (2) who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Grulla, Texas to the point of arrest near La Grulla, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a U.S. Border Patrol Agent and that this complaint is based on the following facts:

On September 23, 2022, at approximately 4:10 p.m., Border Patrol camera operators observed two (2) suspected undocumented aliens emerge from the brush near the Rio Grande River and load onto an all-terrain vehicle (ATV) in La Grulla, Texas. This area is notorious for human and narcotics smuggling. The responding agent located the ATV with two visible occupants. The agent attempted to conduct a vehicle stop but the ATV failed to yield. A pursuit ensued for approximately three (3) minutes, until the ATV came to a stop.

An immigration inspection was conducted, and the driver was identified as Rodolfo Ortiz, a United States. The passenger, Maria Guadalupe Teran-Benitez, was accompanied by her six (6) year old daughter and each were determined to be illegally present in the United States. All subjects were transported to the Rio Grande City Border Patrol Station for processing.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA L. Fry

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

September 24, 2022 at 1:30 p.m.
Date

J. Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

/s/ Shakira Singho
Signature of Complainant
Shakira Singho Border Patrol Agent
Printed Name of Complainant
at McAllen, Texas
City and State
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-22-1893-M

RE: Rodolfo Ortiz

CONTINUATION:

PRINCIPAL STATEMENT 1:

Rodolfo Ortiz, a United States citizen, was read his Miranda Rights. He understood his Rights and agreed to provide a sworn statement.

Rodolfo Ortiz, a United States citizen, indicated he knew he was arrested for bringing illegal aliens into the United States. Ortiz said he was going to be paid for bringing in illegal aliens but was unsure how much. Ortiz added he stopped the ATV because one (1) of the passengers was a minor and he did not want the child to get hurt.

MATERIAL WITNESS STATEMENT 1:

Maria Guadalupe Teran-Benitez, a citizen and national of Mexico, was read her Miranda Rights. She understood her Rights and agreed to provide a sworn statement.

Teran stated her aunt made her smuggling arrangements and paid approximately \$3,000 to be smuggled to Houston, Texas. Teran indicated she crossed the river with her daughter and two (2) guides. She claimed she was told by the guides that a bike was going to pick them up. Teran stated ten (10) minutes later they were picked up by a skinny, tall, older man on a bike. Teran said when they boarded the bike, and the driver told them to hold on. Teran also indicated the driver was wearing a gaiter, sunglasses, and a sleeveless shirt.